

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

LIVE LIFE FEDERAL CREDIT UNION, Plaintiff, vs. VIRTUAL ASSET, LLC, Defendant.	2:21-CV-11550-TGB-KGA ORDER DENYING PLAINTIFF’S REQUESTS TO SEIZE PROPERTY (ECF NOS. 35, 36, 37)
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This matter is before the Court on Plaintiff Live Life Federal Credit Union’s requests to seize property. ECF Nos. 35, 36, 37. Having reviewed Plaintiff’s form filings (which appear to be identical), the Court finds that Plaintiff has failed to properly identify the amount of the unsatisfied judgment to which it is entitled. Accordingly, Plaintiff is not entitled to seize Defendant Virtual Asset, LLC’s property through these requests.

In its requests to seize property, Plaintiff states that it received a judgment against Defendant in the amount of \$99,342.29 on November 18, 2021. But the Clerk’s Entry of Judgment by Default, entered by this Court on November 18, 2021 was for \$137,825.66 plus interest. ECF No. 8. Plaintiff further notes that the total amount of post-judgment payments made as of January 23, 2023 is \$38,504.37. Despite representing that the judgment was for \$99,342.29—and that payments

made on the judgment amounted to \$38,504.37—meaning, it would seem, that the \$99,342.29 judgment should be reduced by \$38,504.37, Plaintiff somewhat inexplicably claims that the amount of unsatisfied judgment is \$99,518.05.

But because Plaintiff erred in listing the correct amount for the judgment it received on November 18, 2021, the stated amount of unsatisfied judgment is grossly inaccurate based on the total post-judgment payments it has already received. And even assuming Plaintiff listed the correct judgment amount (\$137,825.66) plus interest and costs accrued (\$1,643.63 total) and the correct amount of post-judgment payments received (\$38,504.37), the amount of unsatisfied judgment is still incorrect. Relying on the correct judgment amount plus Plaintiff's calculation of interest and costs, Plaintiff is entitled to a total of \$139,469.29 (\$137,825.66 plus \$1,643.63). If Plaintiff has already received \$38,504.37 in post-judgment payments, the unsatisfied judgment amount would appear to be \$100,964.92 (\$139,469.29 less \$38,504.37).

From the information provided in the requests to seize property, it is not possible for the Court to determine how Plaintiff arrived at the \$99,518.05 figure listed as the unsatisfied judgment on its form filings. Consequently, these requests (ECF Nos. 35, 36, 37) are hereby **DENIED**.

Any amended requests for seizure of property will not be considered or approved unless supported by records and documentation demonstrating the accuracy of the amounts stated in such requests.

IT IS SO ORDERED.

Dated: February 24, 2023 s/Terrence G. Berg
TERRENCE G. BERG
UNITED STATES DISTRICT JUDGE